

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JAMAL ALTOWAITI,
AMANI TAHIR ALTOWAITI,
M.A. (1) (a minor child),
J.A. (1) (a minor child),
J.A. (2) (a minor child),
J.A. (3) (a minor child),

Plaintiffs,

-against-

ALEJANDRO MAYORKAS in his official
capacity as Secretary of Homeland Security; UR
JADDOU, in her official capacity as Director of the
U.S. Citizenship and Immigration Services;
TIMOTHY J. HOUGHTON, in his official capacity
as District Director, New York District, U.S.
Citizenship and Immigration Services; U.S.
Department of Homeland Security; U.S.
Citizenship and Immigration Services,¹

Defendants.

ORDER

21 Civ. 5987 (ER)

RAMOS, D.J.

On July 12, 2021, the Court issued an opinion in a previous action brought by the instant Plaintiffs, along with four other families of Yemeni descent, granting Defendants' motion to dismiss and directing Plaintiffs to file a separate amended complaint asserting claims arising from the U.S. Department of Homeland Security's adjudication of their Form I-130 Petitions. *See* Doc. 1. On September 3, 2021, Plaintiffs timely filed the amended complaint, which was

¹ Pursuant to Fed. R. Civ. P. 25(d), Alejandro Mayorkas is substituted for Chad Wolf as Secretary of Homeland Security; Ur Jaddou is substituted for Kenneth Cuccinelli as Director of the U.S. Citizenship and Immigration Services; and Timothy J. Houghton is substituted for Lee Bowles as District Director, New York District, U.S. Citizenship and Immigration Services.

rejected due to a filing error. Doc. 4. Plaintiffs' further attempts to file the amended complaint were rejected as improperly filed without either Defendants' consent or the Court's leave, under Fed. R. Civ. P. 15(a)(2). Docs. 5, 6.

The Court therefore grants Plaintiffs leave to file their amended complaint.

It is SO ORDERED.

Dated: September 9, 2021
New York, New York



Edgardo Ramos, U.S.D.J.